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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/815,835	04/02/2004	Akira Ohmura	101985.03	8850
25944	7590	03/27/2007	EXAMINER	
OLIFF & BERRIDGE, PLC P.O. BOX 19928 ALEXANDRIA, VA 22320			BOCCIO, VINCENT F	
			ART UNIT	PAPER NUMBER
			2165	
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		03/27/2007	PAPER	

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/815,835	OHMURA ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Vincent F. Boccio	2165	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on Amendment & Response of 1/3/07.

2a) This action is FINAL.      2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 11-13 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 11-13 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All    b) Some \* c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. 09/184,329.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)	5) <input type="checkbox"/> Notice of Informal Patent Application
Paper No(s)/Mail Date _____	6) <input type="checkbox"/> Other: _____

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**DETAILED ACTION**

The Group and/or Art Unit location of your application in the PTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Group Art Unit 2165.

**Response to Arguments**

1. Applicant's arguments with respect to amended claims 11-13 have been considered but are moot in view of the new ground(s) of rejection.

**Claim Rejections - 35 USC § 103**

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

2. Claims 11-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ogawa et al. (US 6,603,506) in view of McIntyre (US 6,191,815).

Claim 11 as amended further recites,

"each of the plurality of image data having been selected by the user as part of the plurality of image data", as argued on

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page 3 of the last remarks of 1/3/07, because Ogawa prints a sample image table, wherein the user does not select each image out of the plurality or which images to print.

McIntyre teaches a camera and printer, wherein in accord to Fig. 5, and col. 6, lines 44-, "multiple different images 42 can be printed on the same receiver 19 a (see Fig. 5)".

Therefore, it would have been obvious to one skilled in the art at the time of the invention to provide the feature of wherein the user can selecting multiple images to be printed, as desired on one sheet, printing different and selectively, as taught by McIntyre.

Regarding claims 11-12, Ogawa discloses a digital camera (Fig. 1, 10), comprising:

- optical path (represented by the sensor path with respect to, sensor 10 a);
- an image sensor (Fig. 1, 10 a);
- a memory (10 o, col. 3);
- a display (10 i);
- a selector (col. 3 etc.....) that selects the print instruction for printing a plurality of images per one sheet (Fig. 5, "sample image table printed"); and
- a terminal (10 K to 11 e) that transfers the image data, as selected by the selector to an external printer (11, printer, camera 10 to printer 11 a 20 image print, on one sheet), wherein the terminal (point of transmission) transmits the image data directly to the external printer (point of reception), claim 11, (Fig. 1).

Ogawa discloses the camera but, fails to mention a lens used to form an image to be sensed/imaged, with respect to the optical path.

The examiner takes official notice that in the realm of cameras, digital camera the lens is well known in the art,

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therefore, it would have been obvious to one skilled in the art at the time of the invention to modify Ogawa by providing a lens to the digital camera for the purpose of forming image to the sensor to be images, as is conventional in the art, therefore, obvious to those skilled in the art.

Regarding claim 13, Ogawa further discloses an external printer (Fig. 1, camera 10 to external printer 11).

3. Claims 11-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ogawa et al. (US 6,603,506) in view of Burt et al. (US 5,649,032).

Claims 11-13 have been analyzed and discussed with respect to Ogawa but, claim 11 as amended further recites,

"each of the plurality of image data having been selected by the user as part of the plurality of image data", as argued on page 3 of the last remarks of 1/3/07, because Ogawa prints a sample image table, wherein the user does not select each image out of the plurality or which images to print.

Burt teaches a system for displaying images, allows for user manipulation and altering, connected or associated with a printing system to print selected, altered, manipulated images by a user, cols. 2, lines 42-57, col. 4, lines 12-26, col. 5, lines 3-8, "printing ... still images ... any portion thereof" a camera and printer, wherein in accord to Fig. 5, and col. 6, lines 44-, "multiple different images 42 can be printed on the same receiver 19 a (see Fig. 5)".

Therefore, it would have been obvious to one skilled in the art at the time of the invention to provide the feature of wherein the user can selecting multiple images to be printed, as desired on one sheet, printing different and selectively, as taught by Burt.

#### **Conclusion**

2. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Contact Information

Any inquiry concerning this communication or earlier communications should be directed to the examiner of record Vincent F. Boccio whose telephone number is (571) 272-7373.

The examiner can normally be reached on between Monday thru Friday between (7:30 am to 5:00 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin can be reached on (571) 272-4146.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Primary Examiner, Boccio, Vincent  
3/26/07

*Vincent F. Boccio*  
VINCENT BOCCIO  
PRIMARY EXAMINER